

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

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In re:

KIM ROBERTS,

Debtor(s).

Case No. 17-31749-GMG

Chapter: 13

Hearing Date: June 5, 2019

Judge: GRAVELLE

**DEBTOR'S CERTIFICATION IN OPPOSITION TO CREDITOR'S MOTION TO DISMISS**

1. I am the Debtor in this case and I am familiar with the relevant facts.
2. I filed this case in October 28, 2017.
3. I filed this case because the house I share with my husband was facing a sheriff sale.
4. We were facing a sheriff sale because I missed work for an extended period of time after having a knee replacement.
5. I have been back at work for since around the time of the case filing or shortly after.
6. My husband is a retired World War II veteran.
7. The home was purchased with a VA Loan.
8. Unbeknownst to us, but according to Wells Fargo, the only loan modification that they have to offer us are loan modification products provided by the VA.

9. Since the filing of the case we have been actively trying to address the arrearage we owe to Wells Fargo.
10. As soon as we had 12 timely mortgage payments we explored the possibility of a reverse mortgage as well as a refinance.
11. We are currently in the process of obtaining a New Day VA refinance and are hoping to be closing on the loan by the end of July 2019.
12. Our home recently appraised at \$280,000.00 and because we have made every mortgage payment and every trustee payment since the beginning of our case the loan balance owed to Wells Fargo is about \$215,000.00.
13. The arrears we owe to Wells Fargo are approximately \$35,000.00.
14. If need be, if the refinance does not work we are confident that with the assistance of relatives we will be able to pay off the arrearage by amending our Chapter 13 to a cure plan as we have more than three years remaining in the case.
15. Despite the alternative plan to cover the arrearage it appears that we are going to be able to refinance our home, pay off Wells Fargo, including the arrearage, and save our home.
16. We ask the Court to deny Wells Fargo's motion and allow us to file a modified plan to address our efforts to refinance.
17. I certify the statements in this certification are true to the best of my knowledge. I understand that if any of my statements are willfully false I may be subject to punishment.

Date: June 3, 2019

/s/ KIM ROBERTS